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December 11, 2019

**VIA E-FILING**

Honorable Kevin McNulty, U.S.D.J.  
US District Court for the District of New Jersey  
Martin Luther King Jr. Building & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

**Re: *Dickerson v. New Jersey Institute of Technology, et al.***  
**Civil Action No.: 19-cv-08344 (KM) (SCM)**

Dear Judge McNulty:

This firm represents Defendant New Jersey Institute of Technology ("NJIT") in connection with the above-referenced matter. As the Court is aware, Plaintiff was granted an extension to retain counsel and file her Amended Complaint until February 14, 2020. Defendant currently writes to request an extension of its time to file an Answer to the claims remaining in Plaintiff's original Complaint, which is presently due on December 16, 2019, until after the date by which Plaintiff may retain counsel and file an Amended Complaint.

On November 14, 2019, this Court granted in part and denied in part Defendants' Motion to Dismiss Plaintiff's Complaint. The Court's Order dismissed certain of Plaintiff's claims with prejudice and others without prejudice, including a dismissal of all individual Defendants, leaving NJIT as the sole Defendant in the case, and also denied Defendant's Motion as to Plaintiff's claims of harassment and retaliation under the Americans with Disabilities Act. As to those claims not dismissed (the "Non-Dismissed Claims"), Defendant's Answer is currently due on Monday, December 16, 2019. However, Plaintiff has been granted an extension of time to obtain counsel and to re-plead certain of her claims which were dismissed without prejudice until February 14, 2020. Accordingly, Defendant NJIT seeks an extension of time to file its Answer to the Non-Dismissed Claims until after her deadline to file an Amended Complaint has passed. If Plaintiff in fact files an Amended Complaint, Defendant's time to file a response to that pleading would be within twenty days of service of such Amended Complaint, pursuant to *Rule* 4:9-1. Accordingly, Defendant respectfully requests that its time to file a response to the Non-Dismissed Claims be extended to coincide with the time in which Defendant would be required to respond to any Amended Complaint filed by Plaintiff under *Rule* 4:9-1. If no Amended Complaint is filed on or before February 14, 2020, then it is requested that Defendant's deadline to file an Answer to the Non-Dismissed Claims be set for March 5, 2020.

Further, a telephone conference scheduled for December 4, 2019 with the Honorable Judge Mannion was cancelled in light of the events in this matter. Judge Mannion has scheduled a settlement

conference for February 27, 2020. Accordingly, if Defendant's present request is granted, all activity in this case will resume once Plaintiff retains counsel and/or files an Amended Complaint.

We thank the Court for its consideration and attention to this matter. Should Your Honor or Your Honor's staff have any questions, we are always available.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tricia B. O'Reilly". The signature is written in a cursive, flowing style.

Tricia B. O'Reilly

cc: Gloria Dickerson (via Certified and Regular Mail)